

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, October 16, 2002, the following members were present:

Gary Feland, Chairman
Jay Stovall, Vice Chairman
Bob Anderson, Commissioner
Matt Brainard, Commissioner

Commissioner Rowe was absent but left written votes with the Commission Secretary.

APPEARANCE

Steve Vick
Utility Division

(431) In the matter of Citizens Telecommunications, Docket No. N2002.9.119; On September 23, 2002 Citizens Telecommunications Company of Montana filed Advice Letter No. MT-02-10 for approval of a special promotion. This promotion is to waive the Nonrecurring Records Only Charges for existing Residential customers who order Citizens Select / Select Plus services. In addition, the customers will receive a \$10.00 credit for Citizens Select / Select Plus services on their first month's bill. The promotion will run from October 15, 2002 through November 15, 2002. This promotion is offered only where technically available. Commissioner Stovall moved to approve the promotion. Commissioner Brainard seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE

Nickie Eck for Wayne Budt, Administrator
Transportation & Centralized Services Division

(432) In the matter of T-02.85.ST; On August 23, 2002 S.J. Orr Services, Inc., a Montana Corporation, Libby, Montana filed an application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 2757, to Kootenai Disposal LLC, Kalispell, Montana. The application was noticed to the public on September 13, 2002 and no protests were received.

Class D - Garbage serving Libby, Montana and between all points and places within a 60 mile radius thereof.

Commissioner Anderson moved to approve the transfer. Commissioner Brainard seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(433) In the matter of T-02.86.ST; On August 27, 2002 Kenneth J. Wilson, Inc., dba Havre Taxi, Havre, Montana filed an application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 9436, to Havre Taxi LLC, Havre, Montana. The application was noticed to the public on September 13, 2002 and no protests were received.

Class B – Passengers between all points and places in Blaine, Choteau, Hill, Liberty and Phillips Counties, Montana. LIMITATION: Transportation of passengers in limousines or in limousine services is prohibited.

Commissioner Feland moved to approve the transfer. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(434) In the matter of TN2159; James H. and Joan P. Michael dba Airport Shuttle Service, Somers, Montana request permission to continue the lease of PSC No. 3664 to Flathead Area Custom Transportation, Inc. dba Kalispell Taxi & Airport Shuttle Service, Kalispell, Montana for a one year period, October 7, 2002 to October 7, 2003.

Class B - Persons and baggage from Kalispell, Montana, and a two mile radius thereof to Glacier International Airport via U.S. Highway No. 2, and State Highway No. 206, serving all intermediate points and return. Limitations: The transportation of persons and baggage between points and places within the City of Kalispell and a two mile radius thereof is prohibited.

SUB A Class B - Persons and baggage deplaning from Frontier Airlines and Hughes Airwest flights at Glacier Park International Airport to West Glacier, Montana, and return over Montana Highway No. 206 and 40 and U.S. Highway No. 2, subject to the condition that carrier advise Glacier Park, Inc., of its proposed service schedule and take such steps as may be reasonably necessary to coordinate service with that furnished by Glacier Park, Inc.

SUB B Class B - Persons and personal baggage between all points and places within Kalispell and a three (3) mile radius thereof. Limitations: 1) Transportation of passengers in limousine service is prohibited. 2) Transportation of Burlington Northern train crews is prohibited. 3) Transportation of express is prohibited. 4) Utilization of vans is restricted to the transportation of fifteen (15) people, or less, per vehicle.

Commissioner Brainard moved to approve the continued lease. Commissioner Anderson seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(435) In the matter of the approval of Commission Minutes; Commissioner Stovall moved to approve the Commission Minutes for the week of October 7, 2002. Commissioner Brainard seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

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Commissioner Rowe was present via telephone for the first work session. He left written votes with the Commission Secretary for the balance of the work sessions.

APPEARANCE
Robin McHugh

(436) In the matter of the Commission's discussion of the Special Contracts re Uneconomic Bypass between NorthWestern Energy and Barretts Minerals and Louisiana Pacific, Docket No. D2000.7.98; Commissioner Rowe moved to grant 30 days to explore strategies with instructions to report back before 30 days. Commissioner Stovall seconded the motion, which passed unanimously.

APPEARANCE
Monica Tranel, Kate Whitney

(437) In the matter of the Commission's discussion of the PSC Cramming Complaint Against GoInternet dba Mercury Marketing and Venus, Docket No. D2002.10.126; Commissioner Brainard moved to issue the Notice of Complaint. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE
Monica Tranel, Mike Lee

(438) In the matter of the Commission's discussion of Qwest wholesale costing, Docket No. D2002.7.87; Commissioner Brainard moved to issue the Notice of Additional Issues. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE
Martin Jacobson

(439) In the matter of the Commission's discussion of the Application of William E. Baird dba Bitterroot Cab Co. for a Certificate of Public Convenience and Necessity, Docket No. T-02.29.PCN; Commissioner Brainard moved to deny the motion to compel and further inform Valley Taxi on how to compel discovery, and deny the motion to dismiss. Commissioner Stovall seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

There being no further business to come before the Commission the meeting was adjourned.

GARY FELAND, Chairman

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ATTEST:

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